

AMENDED
APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Nº 38074
ASSIGNED

Date of filing in State Engineer's Office APR 30 1979
Returned to applicant for correction _____
Corrected application filed _____
Map filed JUN 20 1979

The applicant Fred E. Chez
P. O. Box 20, of Gerlach
Street and No. or P.O. Box No. City or Town
Nevada 89412, hereby make application for permission to appropriate the public
State and Zip Code No.
waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)

1. The source of the proposed appropriation is Spring
Name of stream, lake or other source.
2. The amount of water applied for is 0.10 second-feet
One second-foot equals 448.83 gals. per min.
(a) If stored in reservoir give number of acre-feet _____ acre-feet
3. The water to be used for Mining-Milling and domestic
Irrigation, power, mining, manufacturing, domestic, or other use.
4. If use is for:
 - (a) Irrigation (state number of acres to be irrigated) _____
 - (b) Stockwater (state number and kinds of animals to be watered) _____
 - (c) Other use (describe fully under "No. 12. Remarks") _____
 - (d) Power:
 - (1) Horsepower developed _____
 - (2) Point of return of water to stream _____
5. The water is to be diverted from its source at the following point: in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ section 6,
T.38N., R.25E., MDB&M, from which the northwest corner of said
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land,
section 6 bears N. 17° 35' 16" W., 1644.73 feet.
it should be stated.
6. Place of use portions of; NW $\frac{1}{4}$ section 6; T.38N., R.25E., NE $\frac{1}{4}$ Section
Describe by legal subdivision, if on unsurveyed land it should be so stated.
1, T.38N., R.24E., SW $\frac{1}{4}$ Section 31, T.39N., R.25E., and E $\frac{1}{2}$ SE $\frac{1}{4}$ section
36, T.39N., R.25E., MDB&M.
7. Use will begin about January 1st and end about December 31st, of each year.
Day and Month Day and Month
8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Develop the spring and install
pipelines and tanks.
State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.

9. Estimated cost of works.....\$5,000.00
10. Estimated time required to construct works.....3 years
11. Estimated time required to complete the application to beneficial use.....5 years
12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

The applicant is developing 11 lode claims, and plans on
constructing a mill.

Applicant Fred E. Chez

PRO. 12/13/79 by U.S.A., B.L.M.

By s/ Walter G. Reid Agent

P.O. Box 474

Compared lp/sj jr/vjw

Virginia City, Nev. 89440

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all existing rights on the source. It is understood that the 0.1 c.f.s. herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to a beneficial use. A suitable measuring device must be installed and accurate measurements of the water placed to a beneficial use must be included in the proof of such use when filed. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is subject to the condition that the permittee must ensure that wildlife which have customarily used such water will have access thereto, NRS 533.367.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.1 cubic feet per second, but not to exceed 19.3 acre-feet annually.

Actual construction work shall begin on or before

Proof of commencement of work shall be filed before

Work must be prosecuted with reasonable diligence and be completed on or before September 9, 1995

Proof of completion of work shall be filed before October 9, 1995

Application of water to beneficial use shall be made on or before September 9, 1997

Proof of the application of water to beneficial use shall be filed on or before October 9, 1997

Map in support of proof of beneficial use shall be filed on or before N/A

Commencement of work filed MAY 21 1995

Completion of work filed SEP 21 1995

Proof of beneficial use filed

Cultural map filed

Certificate No. 14353 Issued JUN 25 1996

Recorded Bk. 53 Page

County Recorder

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 9th day of September

A.D. 1994

[Signature]
State Engineer